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**HOUSE BILL NO. 1752**

Offered January 13, 2021

Prefiled December 14, 2020

*A BILL to amend and reenact § 46.2-916.3 of the Code of Virginia, relating to golf carts and utility vehicles; Town of Smithfield.*

\_\_\_\_\_  
Patron—Brewer

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Referred to Committee on Counties, Cities and Towns

**Be it enacted by the General Assembly of Virginia:****1. That § 46.2-916.3 of the Code of Virginia is amended and reenacted as follows:****§ 46.2-916.3. Limitations on golf cart and utility vehicle operations on designated public highways.**

A. Golf cart and utility vehicle operations on designated public highways shall be in accordance with the following limitations:

1. A golf cart or utility vehicle may be operated only on designated public highways where the posted speed limit is 25 miles per hour or less. However, a golf cart or utility vehicle may cross a highway at an intersection controlled by a traffic light if the highway has a posted speed limit of no more than 35 miles per hour and in the Town of Colonial Beach *or Smithfield* may cross any highway at an intersection marked as a golf cart crossing by signs posted by the Virginia Department of Transportation;

2. In towns with a population of 2,000 or less, a golf cart or utility vehicle may cross a highway at an intersection conspicuously marked as a golf cart crossing by signs posted by the Virginia Department of Transportation if the highway has a posted speed limit of no more than 35 miles per hour and the crossing is required as the only means to provide golf cart access from one part of the town to another part of the town;

3. No person shall operate any golf cart or utility vehicle on any public highway unless he has in his possession a valid driver's license;

4. Every golf cart or utility vehicle, whenever operated on a public highway, shall display a slow-moving vehicle emblem in conformity with § 46.2-1081; and

5. Golf carts and utility vehicles shall be operated upon the public highways only between sunrise and sunset, unless equipped with such lights as are required in Article 3 (§ 46.2-1010 et seq.) of Chapter 10 for different classes of vehicles.

B. The limitations of subdivision A 1 shall not apply to golf carts and utility vehicles being operated as follows:

1. To cross a highway from one portion of a golf course to another portion thereof or to another adjacent golf course or to travel between a person's home and golf course if (i) the trip would not be longer than one-half mile in either direction and (ii) the speed limit on the road is no more than 35 miles per hour;

2. To the extent necessary for local government employees, operating only upon highways located within the locality, to fulfill a governmental purpose, provided the golf cart or utility vehicle is being operated on highways with speed limits of 35 miles per hour or less;

3. As necessary by employees of public or private two-year or four-year institutions of higher education if operating on highways within the property limits of such institutions, provided the golf cart or utility vehicle is being operated on highways with speed limits of 35 miles per hour or less;

4. On a secondary highway system component that has a posted speed limit of no more than 35 miles per hour and is within three miles of a motor speedway with a seating capacity of at least 25,000 but less than 90,000 on the same day as any race or race-related event conducted on that speedway;

5. To the extent necessary for employees of the Department of Conservation and Recreation, operating only on highways located within Department of Conservation and Recreation property or upon Virginia Department of Transportation-maintained highways that are adjacent to Department of Conservation and Recreation property, to fulfill a governmental purpose, provided that the golf cart or utility vehicle is being operated on highways with speed limits of no more than 35 miles per hour; ~~and~~

6. To cross a one-lane or two-lane highway from one portion of a venue hosting an equine event to another portion thereof if (i) the crossing occurs on the same day as such equine event, (ii) a temporary traffic control zone is established at such crossing with speed limits of no more than 35 miles per hour, and (iii) the crossing and highway vehicular traffic are being monitored and controlled by a uniformed law-enforcement officer; *and*

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59       7. *In accordance with ordinances adopted pursuant to subsection D.*

60       C. The governing body of any county, city, or town may by ordinance impose additional restrictions  
61 or limitations on operations of golf carts, utility vehicles, or both, on public highways within its  
62 boundaries, provided that the restrictions or limitations imposed by any such ordinance are no less  
63 stringent than the restrictions and limitations contained in this article. In the event that any provision of  
64 any such ordinance conflicts with any provision of this section other than subdivision B 5, the provision  
65 of the ordinance shall be controlling.

66       D. *Notwithstanding the provisions of subdivision A 1, the governing body of the Town of Smithfield*  
67 *may by ordinance authorize a golf cart or utility vehicle to be operated on a designated public highway*  
68 *where the posted speed limit is 35 miles per hour or less.*